

§ 23.31

50 CFR Ch. I (10–1–03 Edition)

Species	Common name	Appendix	First listing date (month/day/year)
<i>G. sanctum</i> .....	Hollywood lignum vitae .....	II .....	7/1/75

[60 FR 52450, Oct. 6, 1995, as amended at 61 FR 6795, Feb. 22, 1996; 63 FR 26740, May 14, 1998; 63 FR 58327, Oct. 30, 1998; 63 FR 63212, 63214, Nov. 12, 1998; 64 FR 31991, June 15, 1999; 66 FR 27610, May 18, 2001]

**Subpart D—Public Participation in the Development of Negotiating Positions for Meetings of the Conference of the Parties to the Convention on International Trade in Endangered Species of Wild Fauna and Flora; Federal Agency Consultation**

SOURCE: 45 FR 83238, Dec. 18, 1980, unless otherwise noted.

**§ 23.31 Purpose of regulations.**

The regulation contained in this subpart sets out procedures for participation of the public and consultation with appropriate Federal agencies in the Service's process of developing negotiating positions to be used by the representative of the United States to meetings of the Conference of the Parties to the Convention provided for by Article XI of the Convention.

**§ 23.32 Notice of meeting of Conference of the Parties to the Convention.**

(a) Upon receipt of a notice of a meeting to the Conference of the Parties to the Convention, the director shall publish in the FEDERAL REGISTER a notice setting forth the time and place of the meeting, and the proposed agenda, and inviting the public to comment and provide information on agenda items including, when appropriate, suggestions for additional agenda items.

(b) Upon receipt from the CITES Secretariat of a notice of additional agenda items, the Director shall publish in the FEDERAL REGISTER a notice inviting the public to comment and provide information on such items.

**§ 23.33 Notice of proposed negotiating positions.**

Subsequent to the comment period of the notice of meeting of the Conference of the Parties to the Convention, the Director shall publish in the FEDERAL REGISTER a notice of proposed negotiating positions setting forth a summary of the information and comments received in response to any of the notices mentioned in § 23.33, the negotiating positions which the Service proposes to use at the meetings of the Conference of the Parties to the Convention, and the basis thereof, and inviting information and comments on the proposed negotiating positions. The notice will also set forth the time and place of at least one public meeting to provide information and comments on the proposed negotiating positions of the Service.

**§ 23.34 Public meetings.**

The Service shall hold at least one public meeting to enable interested persons to provide information and comments on the proposed agenda and at least one such public meeting on the proposed negotiating positions of the Service. Written statements may be submitted to the Service before and at the meeting. Appointments to speak at the meetings may be made with the Federal Wildlife Permit Office, Washington, DC 20240 (703/235-2418). Participants without prior appointments will be given an opportunity to speak to the extent time allows following speakers with appointments.

**§ 23.35 Notice of negotiating positions.**

Subsequent to the comment period of the notice of proposed negotiating positions, and after all associated public meetings have been held, the Director shall publish in the FEDERAL REGISTER a notice setting forth (a) a summary of

the information and comments received in response to the notice of proposed negotiating positions, (b) a summary of negotiating positions of the Service to be used by the representative of the United States to the meeting of the Conference of the Parties to the Convention, and (c) the basis of such negotiating positions.

**§ 23.36 Schedule of public meetings and notices.**

The Director shall publish in the FEDERAL REGISTER a schedule, subject to change and modification, of all public meetings and notices related to preparation of negotiating positions for meetings of the Conference of the Parties to the Convention.

**§ 23.37 Federal agency consultation.**

The Service shall consult with appropriate Federal agencies in the development of negotiating positions.

**§ 23.38 Modifications of procedures and negotiating positions.**

(a) Any of the procedures in §§ 23.32 through 23.36 may be modified or suspended by the Director on notice published in the FEDERAL REGISTER where to follow the procedures would interfere with the timely or appropriate development of negotiating positions.

(b) Any of the negotiating positions set forth in a notice of negotiating positions may be modified, reversed or abandoned by the United States representative to a meeting of the Conference of the Parties to the Convention where to do so would be in the best interests of the United States.

**§ 23.39 Notice of availability of official report.**

After any meeting of the Conference of the Parties to the Convention attended by a United States representative, the Service shall publish a notice of availability of the official report of such representative and set forth how and where copies of such report can be obtained.

**Subpart E—Scientific Authority  
Advice [Reserved]**

**Subpart F—Export of Certain  
Species**

SOURCE: 45 FR 80446, Dec. 4, 1980, unless otherwise noted.

**§ 23.51 American ginseng (*Panax quinquefolius*).**

State populations for which the export of the indicated season's harvest may be permitted under § 23.15 of this part:

(a) *1978 Harvest*: Arkansas, Georgia, Illinois, Indiana, Iowa, Kentucky, Maryland, Michigan, Minnesota, Missouri, New York, North Carolina, Pennsylvania, Tennessee, Virginia, West Virginia, and Wisconsin.

Conditions on findings: Roots must be documented as to state of origin and season of collecting.

For further information see: 43 FR 29469, July 7, 1978; 43 FR 35013, Aug. 7, 1978; 43 FR 36293, Aug. 16, 1978; and 43 FR 39305, Sept. 1, 1978.

(b) *1979 Harvest*: Arkansas, Georgia, Illinois, Iowa, Kentucky, Maryland, Minnesota, Missouri, North Carolina, Ohio, Tennessee, Virginia, West Virginia, and Wisconsin.

Conditions on findings: Roots must be documented as to state of origin and season of collecting. Wild roots must be certified by the state as legally collected. For further information see: 44 FR 25384, Apr. 30, 1979; 44 FR 3107, June 1, 1979; and 44 FR 47912, Aug. 15, 1979.

(c) *1980 Harvest*: Arkansas, Georgia, Illinois, Indiana, Iowa, Kentucky, Maryland, Minnesota, Missouri, New York, North Carolina, Ohio, Tennessee, Virginia, West Virginia, and Wisconsin.

Conditions on findings: Roots must be documented as to state or origin and season of collecting. Wild and cultivated roots must be certified by the state as legally collected, and such certification must be presented upon export.

(d) *1981 Harvest*: Arkansas, Georgia, Illinois, Indiana, Iowa, Kentucky, Maryland, Minnesota, Missouri, North Carolina, Ohio, Tennessee, Vermont (artificially propagated ginseng only), Virginia, West Virginia, Wisconsin.

Condition on findings: Roots must be documented as to state of origin and season of collecting. Wild and cultivated roots must be certified by the state as legally collected and